

Official Journal

of the European Communities

English edition

Legislation

Contents

I *Acts whose publication is obligatory*

- * **Council Regulation (EEC) No 3359/90 of 20 November 1990 for an action programme in the field of transport infrastructure with a view to the completion of an integrated transport market in 1992** 1
- Commission Regulation (EEC) No 3360/90 of 23 November 1990 fixing the import levies on cereals and on wheat or rye flour, groats and meal 6
- Commission Regulation (EEC) No 3361/90 of 23 November 1990 fixing the premiums to be added to the import levies on cereals, flour and malt 8
- Commission Regulation (EEC) No 3362/90 of 23 November 1990 fixing the import levies on rice and broken rice 10
- Commission Regulation (EEC) No 3363/90 of 23 November 1990 fixing the premiums to be added to the import levies on rice and broken rice 12
- Commission Regulation (EEC) No 3364/90 of 23 November 1990 on the supply of various consignments of cereals as food aid 14
- Commission Regulation (EEC) No 3365/90 of 23 November 1990 on the supply of corned beef as food aid 17
- Commission Regulation (EEC) No 3366/90 of 23 November 1990 on the supply of various lots of olive oil as food aid 21
- * **Commission Regulation (EEC) No 3367/90 of 23 November 1990 on the sale by the procedure laid down in Regulation (EEC) No 2539/84 of bone-in beef held by certain intervention agencies and intended for export, amending Regulations (EEC) 569/88 and No 2722/90 and repealing Regulation (EEC) No 3182/90** 27
- Commission Regulation (EEC) No 3368/90 of 23 November 1990 fixing the export refunds on fruit and vegetables 30

Commission Regulation (EEC) No 3369/90 of 23 November 1990 amending Regulation (EEC) No 1627/89 on the buying-in of beef by invitation to tender	35
* Commission Regulation (EEC) No 3370/90 of 23 November 1990 derogating from the time limit for payment of the special premium for beef producers to be granted for 1989 in Italy	38
* Commission Regulation (EEC) No 3371/90 of 23 November 1990 amending Regulation (EEC) No 3846/87 establishing an agricultural product nomenclature for export refunds	39
* Commission Regulation (EEC) No 3372/90 of 23 November 1990 amending Regulation (EEC) No 643/86 laying down detailed rules for the application of the supplementary trade mechanism to the live plants and floriculture products imported into Portugal concerning the target ceilings for ornamental plants for 1990	41
Commission Regulation (EEC) No 3373/90 of 23 November 1990 fixing the import levies on white sugar and raw sugar	43
Commission Regulation (EEC) No 3374/90 of 23 November 1990 altering the export refunds on cereals and on wheat or rye flour, groats and meal	45
Commission Regulation (EEC) No 3375/90 of 23 November 1990 fixing the import levies on live cattle and on beef and veal other than frozen	48
Commission Regulation (EEC) No 3376/90 of 23 November 1990 fixing the import levies on frozen beef and veal	50
Commission Regulation (EEC) No 3377/90 of 23 November 1990 fixing the specific levies on beef and veal from Portugal	52
Commission Regulation (EEC) No 3378/90 of 23 November 1990 altering the export refunds on white sugar and raw sugar exported in the natural state	54

II *Acts whose publication is not obligatory*

Council

90/611/EEC:

- * Council Decision of 22 October 1990 concerning the conclusion, on behalf of the European Economic Community, of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances ... 56

Commission

90/612/EEC:

- * Commission Directive of 26 October 1990 amending Council Directive 78/663/EEC laying down specific purity criteria for emulsifiers, stabilizers, thickeners and gelling agents for use in foodstuffs ... 58

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 3359/90

of 20 November 1990

for an action programme in the field of transport infrastructure with a view to the completion of an integrated transport market in 1992

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 75 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas the completion of an integrated transport market calls for a Community action programme aimed at the harmonious development of transport infrastructure in the Community;

Whereas the setting up of rapid and efficient links between all regions of the Community is an essential condition for reinforcing its economic and social cohesion;

Whereas it is necessary to take account of both the interests of users and the demands of environmental protection, safety and the rational use of energy;

Whereas Community action through the structural Funds, the European Investment Bank (EIB) and the other financial instruments can contribute to the building of transport infrastructure works of Community interest;

Whereas specific financial support for transport infrastructure projects can provide an essential stimulus to the promotion and launching of projects of Community interest;

Whereas the intervention of private-sector capital can contribute to the implementation of transport infrastruc-

ture projects and whereas the 'Declaration of European interest' procedure, would help to channel private-sector capital towards major projects of European interest;

Whereas it is necessary to ensure that the various projects are properly coordinated and their financing efficiently programmed; whereas it is therefore appropriate for financial support to be granted in the framework of a multi-annual action programme;

Whereas it is important to define the scope of such a programme, in particular by its direct objectives and the projects to be carried out;

Whereas the value to the Community of the projects to be assisted ought to be established on the basis of objective criteria;

Whereas Community assistance is necessary to carry out the projects and especially in their launch phase,

HAS ADOPTED THIS REGULATION:

Article 1

The Community shall identify transport infrastructure projects of Community interest within the framework of the action programme defined below and aimed at meeting one of the following objectives:

- the elimination of bottlenecks,
- the integration of areas which, geographically, are either landlocked or situated on the periphery of the Community,
- the reduction of costs associated with transit traffic in cooperation with any third countries concerned,
- the improvement of links on land/sea routes,
- the provision of high-quality links between the major urban centres, including high-speed rail links.

⁽¹⁾ OJ No C 270, 19. 10. 1988, p. 6 and OJ No C 170, 5. 7. 1989, p. 10.

⁽²⁾ OJ No C 326, 19. 12. 1988, p. 57 and OJ No C 175, 16. 7. 1990, p. 217.

⁽³⁾ OJ No C 23, 30. 1. 1989, p. 8.

Article 2

The Community contribution to the execution of the projects in the action programme may take the form in particular of:

- financial support using appropriations earmarked for the purpose in the general budget of the European Communities, within the framework of the financial prospects relating to the period covered by that programme,
- financial support under other financial instruments, where these apply,
- a declaration of the European interest of the project by the Commission, in compliance with the conditions set out in the Annex, following consultation with the Member States directly concerned by the project. The Commission shall inform the European Parliament and the Council.

Decisions conferring the declaration of European interest shall be published in the *Official Journal of the European Communities*.

Article 3

Community action shall concern studies and the following major projects, it being understood that the specific individual projects to which reference is made in other Articles are components of these major projects:

1. contribution to the high-speed rail network:
 - links: Paris — London — Brussels — Amsterdam — Cologne and connecting lines to other Member States,
 - links:
 - (a) Seville — Madrid — Barcelona — Lyons — Turin-Milan — Venice and from there to Tarvisio and Trieste;
 - (b) Oporto — Lisbon — Madrid;
2. the Alpine transit route (Brenner route);
3. contribution to the combined transport network of Community interest;
4. international trans-Pyrenean road links (Somport);
5. the road link with Ireland (A5/A55 North Wales coast road) and the improvement of the Dublin-Belfast cross-border railway line;
6. the Scanlink;
7. the strengthening of land communications in Greece.

Article 4

The eligibility of transport infrastructure projects for financial support shall be assessed on the basis of the following criteria:

- the benefit and greatest usefulness of the project to international Community traffic, assessed by its

contribution to the objectives set out in Article 1. Among the factors which must be included are:

- the importance of present or potential intra-Community international traffic,
- the importance of exchanges between the Community and third countries on the route involved in the project,
- the extent of the project's contribution to the creation of a homogeneous and balanced network within the Community framework, geared to existing and future transport needs,
- the socio-economic return on the project,
- the project's consistency with the other Community measures taken under the common transport policy or other Community policies and with the other national measures given priority in national transport infrastructure plans and programmes,
- particular difficulties in raising finance,
- inability of national or regional authorities to carry out the project alone.

Article 5

1. Community financial support may be granted for feasibility studies or preparatory work for infrastructure projects, for related schemes and for the development of a part or the whole of a project.
2. Community financial support specifically for transport infrastructure projects may take the form of subsidies or exceptionally in duly justified cases any other form appropriate to the financial requirements of the project.
3. Where a specific project forming part of one of the major projects provided for in Article 3 is already being granted non-repayable support from the Community budget, that project may not be granted any other non-repayable support but only aid in the form of loans.
4. Non-repayable support from the Community budget may not exceed 25 % of the total cost of the project or of that part of the project granted assistance. This support may be increased to a maximum of 50 % in the case of studies prior to construction work.
5. A project may be granted Community financial support only if the obligations under Community law concerning public procurement are met in full.

Article 6

1. In respect of the specific financial support referred to in the first indent of Article 2, grant applications shall be sent to the Commission via the Member States.

Each application shall include the background information necessary and in particular :

- an itemized list of forecast expenditure,
- a schedule of work and financial commitments,
- information necessary for the evaluation of the Community interest of the project,
- a general summary of the environmental impact assessment carried out in accordance with Council Directive 85/337/EEC of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment⁽¹⁾.

The Member States shall provide the Commission with any further information it considers necessary for assessing a project.

2. Where the financial instruments referred to in the second indent of Article 2 are used, the rules and the procedures proper to each shall be followed.

Article 7

1. Each year, the Commission shall send the European Parliament and the Council a communication describing the projects in respect of which applications have been received pursuant to Article 6 and which are eligible, under the action programme and in the light of the objectives laid down in Article 1, for financial support using the specific appropriations referred to in Article 2.

2. The communication referred to in paragraph 1 shall include at least the following background information :

- the main grounds for the eligibility of the project under Articles 1, 3 and 4,
- the size and nature of the financial support proposed,
- the background information set out in the second subparagraph of Article 6 (1).

Article 8

The Commission shall decide on the grant of financial support in accordance with the procedure laid down in Article 9. Financial support shall be granted in accordance with Article 5; the amount shall take account of the interest of projects as assessed on the criteria set out in Article 4.

Article 9

The Commission shall be assisted by the Transport Infrastructure Committee set up by Article 9 of Decision 78/174/EEC⁽²⁾.

The representative of the Commission shall submit to the Committee a draft of the measures to be taken. The Committee shall deliver its opinion on the draft within a time limit which the chairman may lay down according

to the urgency of the matter. The opinion shall be delivered by the majority laid down in Article 148 (2) of the Treaty in the case of decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the Member States within the Committee shall be weighted in the manner described in that Article. The chairman shall not vote.

The Commission shall adopt the measures envisaged if they are in accordance with the opinion of the Committee.

If the measures envisaged are not in accordance with the opinion of the Committee, or if no opinion is delivered, the Commission shall, without delay, submit to the Council a proposal relating to the measures to be taken. The Council shall act by a qualified majority.

If the Council has not acted within three months of the matter being referred to it, the proposed measures shall be adopted by the Commission.

Article 10

1. Where a project which has received financial support has not been carried out as planned, or where the conditions imposed are not fulfilled, the financial support may be reduced or cancelled if the Commission so decides after considering the explanations given by the beneficiary.

Any sum paid incorrectly shall be repaid to the Community by the beneficiary within 12 months of the date of notification of such decision.

2. Without prejudice to checks carried out by the Member States in accordance with national laws, regulations or administrative provisions, and without prejudice to the auditing carried out by the Court of Auditors in accordance with Article 206a of the Treaty, on-the-spot checks or enquiries in respect of projects receiving financial support shall be carried out by the competent authorities of the Member State concerned and by representatives of the Commission, or other persons authorized for this purpose by the latter. The Commission shall determine deadlines for the performance of checks and inform the Member States in advance in order to receive all necessary assistance.

3. The purpose of these on-the-spot checks or enquiries relating to operations receiving financial support is to ascertain :

- (a) the conformity of administrative practices with Community rules;
- (b) the existence of supporting documents and whether they correspond to the projects receiving financial support;
- (c) the conditions under which operations are executed and checked;
- (d) the conformity of the projects carried out with the conditions subject to which financial support was granted.

⁽¹⁾ OJ No L 175, 5. 7. 1985, p. 40.

⁽²⁾ OJ No L 54, 25. 2. 1978, p. 16.

4. The Commission may suspend payment of aid in respect of an operation if a check reveals irregularities or a substantial change in the nature or conditions of the project for which the Commission's approval has not been sought.

5. The Commission shall in due course, after the completion of projects that have received financial support, carry out detailed analyses of their consequences for transport and for the economy generally.

Article 11

Not later than 31 December 1991, the Commission shall submit to the European Parliament and to the Council a

report on the experience gained in the implementation of this Regulation and Regulations (EEC) No 3600/82⁽¹⁾, (EEC) No 3620/84⁽²⁾, (EEC) No 4059/86⁽³⁾, (EEC) No 4070/87⁽⁴⁾ and (EEC) No 4048/88⁽⁵⁾.

Article 12

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

It shall expire on 31 December 1992.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 20 November 1990.

For the Council

The President

C. VIZZINI

-
- (¹) Council Regulation (EEC) No 3600/82 of 30 December 1982 on the granting of limited support in the field of transport infrastructure (OJ No L 376, 31. 12. 1982, p. 10) (financial year 1982).
- (²) Council Regulation (EEC) No 3620/84 of 19 December 1984 on a specific measure in the field of transport infrastructure (OJ No L 333, 21. 12. 1984, p. 58) (financial years 1983 and 1984).
- (³) Council Regulation (EEC) No 4059/86 of 22 December 1986 on the granting of financial support to transport infrastructure projects (OJ No L 378, 31. 12. 1986, p. 24) (financial year 1985).
- (⁴) Council Regulation (EEC) No 4070/87 of 22 December 1987 on the granting of support to transport infrastructure projects (OJ No L 380, 31. 12. 1987, p. 33) (financial years 1986 and 1987).
- (⁵) Council Regulation (EEC) No 4048/88 of 19 December 1988 on the granting of financial support to transport infrastructure projects (OJ No L 356, 24. 12. 1988, p. 5) (financial years 1988 and 1989).

*ANNEX***Conditions for conferral of the Declaration of European interest**

The conditions for conferring the 'Declaration of European interest' are as follows :

- The product must be well defined. This implies that the results of feasibility studies are known and show that the product is viable.
 - The project will be submitted to the Commission either directly or through the intermediary of a Member State. Member States directly affected by the project will be consulted by the Commission.
 - The Commission will examine the project to ensure that it complies with the relevant Community policies. In particular the implementation procedure must comply with the provisions of the Treaty and of secondary legislation, notably in competition, public procurement and environmental matters. The Commission will also ascertain that the project complies with Community rules and policies applicable in the field concerned.
 - The product must draw to a large extent on private funding and comply with the objectives and criteria laid down by the Commission's programmes in the sectors concerned. The Commission will identify the advantages to the Community in the light of not only technical and financial but also socio-economic criteria. Among other things, an assessment will be provided of the impact of the project on Community competitiveness and of its effects, particularly in terms of employment and production levels, on the countries and regions concerned.
-

COMMISSION REGULATION (EEC) No 3360/90

of 23 November 1990

fixing the import levies on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1340/90⁽²⁾, and in particular Article 13 (5) thereof,Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽³⁾, as last amended by Regulation (EEC) No 2205/90⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 1801/90⁽⁵⁾ and subsequent amending Regulations;

Whereas, if the levy system is to operate normally, levies should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

Whereas these exchange rates being those recorded on 22 November 1990;

Whereas the aforesaid corrective factor affects the entire calculation basis for the levies, including the equivalence coefficients;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1801/90 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 24 November 1990.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 23 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.⁽²⁾ OJ No L 134, 28. 5. 1990, p. 1.⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 9.⁽⁵⁾ OJ No L 167, 30. 6. 1990, p. 8.

ANNEX

to the Commission Regulation of 23 November 1990 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Levies	
	Portugal	Third country
0709 90 60	28,53	143,64 ^(?) ^(?)
0712 90 19	28,53	143,64 ^(?) ^(?)
1001 10 10	22,76	196,78 ⁽¹⁾ ^(?)
1001 10 90	22,76	196,78 ⁽¹⁾ ^(?)
1001 90 91	29,00	168,20
1001 90 99	29,00	168,20
1002 00 00	53,97	155,14 ⁽⁹⁾
1003 00 10	45,30	148,84
1003 00 90	45,30	148,84
1004 00 10	36,94	144,87
1004 00 90	36,94	144,87
1005 10 90	28,53	143,64 ^(?) ^(?)
1005 90 00	28,53	143,64 ^(?) ^(?)
1007 00 90	45,30	146,33 ⁽⁴⁾
1008 10 00	45,30	61,00
1008 20 00	45,30	131,38 ⁽⁴⁾
1008 30 00	45,30	73,05 ^(?)
1008 90 10	(7)	(7)
1008 90 90	45,30	73,05
1101 00 00	53,48	248,50
1102 10 00	89,24	230,88
1103 11 10	48,54	318,27
1103 11 90	57,03	267,65

(1) Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.

(2) In accordance with Regulation (EEC) No 715/90 the levies are not applied to products imported directly into the French overseas departments, originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'.

(3) Where maize originating in the ACP or OCT is imported into the Community the levy is reduced by ECU 1,81/tonne.

(4) Where millet and sorghum originating in the ACP or OCT is imported into the Community the levy is applied in accordance with Regulation (EEC) No 715/90.

(5) Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.

(9) The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 (OJ No L 142, 9. 6. 1977, p. 10) and Commission Regulation (EEC) No 2622/71 (OJ No L 271, 10. 12. 1971, p. 22).

(7) The levy applicable to rye shall be charged on imports of the product falling within CN code 1008 90 10 (triticale).

COMMISSION REGULATION (EEC) No 3361/90

of 23 November 1990

fixing the premiums to be added to the import levies on cereals, flour and malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1340/90⁽²⁾, and in particular Article 15 (6) thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽³⁾, as last amended by Regulation (EEC) No 2205/90⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 1802/90⁽⁵⁾ and subsequent amending Regulations;

Whereas, if the levy system is to operate normally, levies should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

Whereas these exchange rates being those recorded on 22 November 1990;

Whereas, on the basis of today's cif prices and cif forward delivery prices, the premiums at present in force, which are to be added to the levies, should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

1. The premiums referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt coming from Portugal shall be zero.
2. The premiums referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt coming from third countries shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 24 November 1990.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 23 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 134, 28. 5. 1990, p. 1.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁵⁾ OJ No L 167, 30. 6. 1990, p. 11.

ANNEX

to the Commission Regulation of 23 November 1990 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)

CN code	Current	1st period	2nd period	3rd period
	11	12	1	2
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 10	0	0	0	0
1001 10 90	0	0	0	0
1001 90 91	0	0	0	20,96
1001 90 99	0	0	0	20,96
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 10	0	0	0	0
1004 00 90	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	29,35

B. Malt

(ECU/tonne)

CN code	Current	1st period	2nd period	3rd period	4th period
	11	12	1	2	3
1107 10 11	0	0,00	0,00	37,31	37,31
1107 10 19	0	0,00	0,00	27,88	27,88
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

COMMISSION REGULATION (EEC) No 3362/90
of 23 November 1990
fixing the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 1806/89 ⁽²⁾, and in particular Article 11 (2) thereof,

Having regard to Commission Regulation (EEC) No 883/87 of 23 March 1987 laying down detailed rules for the application of Council Regulation (EEC) No 3877/86 on imports rice of the long-grain aromatic Basmati variety falling within CN codes 1006 10, 1006 20 and 1006 30 ⁽³⁾, as amended by Regulation (EEC) No 1546/87 ⁽⁴⁾, and in particular Article 8 thereof,

Whereas the import levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2512/90 ⁽⁵⁾, as last amended by Regulation (EEC) No 3311/90 ⁽⁶⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the products listed in Article 1 (1) (a) and (b) of Regulation (EEC) No 1418/76 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 26 November 1990.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 23 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽³⁾ OJ No L 80, 24. 3. 1987, p. 20.

⁽⁴⁾ OJ No L 144, 4. 6. 1987, p. 10.

⁽⁵⁾ OJ No L 237, 1. 9. 1990, p. 11.

⁽⁶⁾ OJ No L 318, 17. 11. 1990, p. 8.

ANNEX

to the Commission Regulation of 23 November 1990 fixing the import levies on rice and broken rice

(ECU/tonne)

CN code	Portugal	Arrangement in Regulation (EEC) No 3877/86	ACP or OCT (¹) (²) (³)	Third countries (except ACP or OCT) (³)
1006 10 21	—	—	155,90	319,01
1006 10 23	—	246,13	160,48	328,17
1006 10 25	—	246,13	160,48	328,17
1006 10 27	—	246,13	160,48	328,17
1006 10 92	—	—	155,90	319,01
1006 10 94	—	246,13	160,48	328,17
1006 10 96	—	246,13	160,48	328,17
1006 10 98	—	246,13	160,48	328,17
1006 20 11	—	—	195,78	398,76
1006 20 13	—	307,66	201,50	410,21
1006 20 15	—	307,66	201,50	410,21
1006 20 17	—	307,66	201,50	410,21
1006 20 92	—	—	195,78	398,76
1006 20 94	—	307,66	201,50	410,21
1006 20 96	—	307,66	201,50	410,21
1006 20 98	—	307,66	201,50	410,21
1006 30 21	13,05	—	242,90	509,65
1006 30 23	12,97	453,00	290,11	604,00
1006 30 25	12,97	453,00	290,11	604,00
1006 30 27	12,97	453,00	290,11	604,00
1006 30 42	13,05	—	242,90	509,65
1006 30 44	12,97	453,00	290,11	604,00
1006 30 46	12,97	453,00	290,11	604,00
1006 30 48	12,97	453,00	290,11	604,00
1006 30 61	13,90	—	259,04	542,78
1006 30 63	13,90	485,62	311,39	647,49
1006 30 65	13,90	485,62	311,39	647,49
1006 30 67	13,90	485,62	311,39	647,49
1006 30 92	13,90	—	259,04	542,78
1006 30 94	13,90	485,62	311,39	647,49
1006 30 96	13,90	485,62	311,39	647,49
1006 30 98	13,90	485,62	311,39	647,49
1006 40 00	0,00	—	94,69	195,38

(¹) Subject to the application of the provisions of Articles 12 and 13 of Regulation (EEC) No 715/90.

(²) In accordance with Regulation (EEC) No 715/90, the levies are not applied to products imported directly into the overseas department of Réunion of products originating in the African, Caribbean and Pacific States or in the overseas countries and territories.

(³) The import levy on rice entering the overseas department of Réunion is specified in Article 11a of Regulation (EEC) No 1418/76.

COMMISSION REGULATION (EEC) No 3363/90
of 23 November 1990

fixing the premiums to be added to the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 1806/89 ⁽²⁾, and in particular Article 13 (6) thereof,

Whereas the premiums to be added to the levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2513/90 ⁽³⁾, as last amended by Regulation (EEC) No 3312/90 ⁽⁴⁾;

Whereas, on the basis of today's cif prices and cif forward delivery prices, the premiums at present in force, which

are to be added to the levies, should be altered to the amounts shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

1. The premiums to be added to the import levies fixed in advance in respect of rice and broken rice originating in Portugal shall be zero.

2. The premiums to be added to the import levies fixed in advance in respect of rice and broken rice originating in third countries shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 26 November 1990.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 23 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽³⁾ OJ No L 237, 1. 9. 1990, p. 14.

⁽⁴⁾ OJ No L 318, 17. 11. 1990, p. 10.

ANNEX

to the Commission Regulation of 23 November 1990 fixing the premiums to be added to the import levies on rice and broken rice

CN code	<i>(ECU/tonne)</i>			
	Current 11	1st period 12	2nd period 1	3rd period 2
1006 10 21	0	0	0	—
1006 10 23	0	0	0	—
1006 10 25	0	0	0	—
1006 10 27	0	0	0	—
1006 10 92	0	0	0	—
1006 10 94	0	0	0	—
1006 10 96	0	0	0	—
1006 10 98	0	0	0	—
1006 20 11	0	0	0	—
1006 20 13	0	0	0	—
1006 20 15	0	0	0	—
1006 20 17	0	0	0	—
1006 20 92	0	0	0	—
1006 20 94	0	0	0	—
1006 20 96	0	0	0	—
1006 20 98	0	0	0	—
1006 30 21	0	0	0	—
1006 30 23	0	0	0	—
1006 30 25	0	0	0	—
1006 30 27	0	0	0	—
1006 30 42	0	0	0	—
1006 30 44	0	0	0	—
1006 30 46	0	0	0	—
1006 30 48	0	0	0	—
1006 30 61	0	0	0	—
1006 30 63	0	0	0	—
1006 30 65	0	0	0	—
1006 30 67	0	0	0	—
1006 30 92	0	0	0	—
1006 30 94	0	0	0	—
1006 30 96	0	0	0	—
1006 30 98	0	0	0	—
1006 40 00	0	0	0	0

COMMISSION REGULATION (EEC) No 3364/90
of 23 November 1990
on the supply of various consignments of cereals as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management ⁽¹⁾, as last amended by Regulation (EEC) No 1930/90 ⁽²⁾, and in particular Article 6 (1)(c) thereof,

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86 on food-aid policy and food-aid management ⁽³⁾ lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas, following the taking of a number of decisions on the allocation of food aid, the Commission has allocated to certain countries and beneficiary organizations 3 425 tonnes of cereals;

Whereas it is necessary to provide for the carrying-out of this measure in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community

food aid ⁽⁴⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

Cereals shall be mobilized in the Community as Community food aid for supply to the recipients listed in the Annex in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annex. Supplies shall be awarded by the tendering procedure.

The successful tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

Article 2

This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 23 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 174, 7. 7. 1990, p. 6.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

ANNEX

1. **Operation No** ⁽¹⁾: 840/90
2. **Programme**: 1990
3. **Recipient**: Peru
4. **Representative of the recipient** ⁽²⁾: Oficina Nacional de Apoyo Alimentario (ONAA), Natalio Sánchez 220, Piso 14, Jesús María, Lima (Perú); tel.: 24 24 64
5. **Place or country of destination**: Peru
6. **Product to be mobilized**: common wheat flour
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁷⁾ ⁽⁸⁾: see list published in OJ No C 216, 14. 8. 1987, p. 3 (under II.A.6)
8. **Total quantity**: 2 500 tonnes (3 425 tonnes of cereals)
9. **Number of lots**: one
10. **Packaging and marking** ⁽⁴⁾ ⁽⁹⁾: see list published in OJ No C 216, 14. 8. 1987, p. 3 (under II.B.2.b): marking on the bags in letters at least 5 cm high:
'ACCIÓN N° 840/90 / HARINA DE TRIGO / DONACIÓN DE LA COMUNIDAD ECONÓMICA EUROPEA AL PERÚ'
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: Callao
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 7 — 18. 1. 1991
18. **Deadline for the supply**: 22. 2. 1991
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 11. 12. 1990, at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 18. 12. 1990, at 12 noon
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 14 — 25. 1. 1991
 - (c) deadline for the supply: 28. 2. 1991
22. **Amount of the tendering security**: ECU 5 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders** ⁽⁵⁾: Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, bâtiment Loi 120, bureau 7/58, 200, rue de la Loi, B-1049 Bruxelles, telex AGREC 22037 B or 25670 B
25. **Refund payable on request by the successful tenderer** ⁽⁶⁾: refund applicable on 30. 11. 1990 fixed by Commission Regulation (EEC) No 3098/90 (OJ No L 296, 27. 10. 1990, p. 13)

Notes:

- (¹) The operation number is to be quoted in all correspondence.
- (²) Commission delegate to be contacted by the successful tenderer: Délégation CEE, Calle Orinoco, Las Mercedes, Ap. 768076 Las Americas 1061 A, CARACAS, Venezuela; telex 27298 VC.
- (³) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
- The radioactivity certificate must indicate the caesium-134 and -137 levels.
- (⁴) Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
- (⁵) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably:
- either by porter at the office referred to in point 24 of this Annex,
 - or by telecopier on one of the following numbers in Brussels:
235 01 32,
236 10 97,
235 01 30,
236 20 05.
- (⁶) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), is applicable as regards the export refund and, where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.
- (⁷) The successful tenderer shall give the beneficiaries' representative a health certificate at the time of delivery.
- (⁸) The successful tenderer shall give the beneficiaries' representative a certificate of origin at the time of delivery.
- (⁹) In the event that the products are placed in containers on the initiative of the tenderer, he shall bear the costs of transportation to the port warehouse where the products are to be stored.
-

COMMISSION REGULATION (EEC) No 3365/90

of 23 November 1990

on the supply of corned beef as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management ⁽¹⁾, as last amended by Regulation (EEC) No 1930/90 ⁽²⁾, and in particular Article 6 (1) (c) thereof,

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86 on food-aid policy and food-aid management ⁽³⁾ lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas, following the taking of a number of decisions on the allocation of food aid, the Commission has allocated to certain countries and beneficiary organizations 1 219 tonnes of corned beef;

Whereas it is necessary to make these supplies in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid ⁽⁴⁾;

whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

Corned beef shall be mobilized in the Community as Community food aid for supply to the recipients listed in the Annex, in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annex. Supplies shall be awarded by the tendering procedure.

The successful tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

Article 2

This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 23 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 174, 7. 7. 1990, p. 6.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

ANNEX

1. **Operations Nos** ⁽¹⁾: 351, 352, 353 und 355/90
2. **Programme** : 1990
3. **Recipient** ⁽²⁾: UNRWA Headquarters, Vienna International Centre, PO Box 700, A-1400 Wien ; telex 135310 UNRWA A
4. **Representative of the recipient** ⁽³⁾:
 - Lots A and B : UNRWA Field Supply and Transport Officer, West Bank, PO Box 19149, Jerusalem, Israel
 - Lot C : UNRWA Field Supply and Transport Officer, SAR, PO Box 4313, Damascus, Syrian Arab Republic
 - Lot D : UNRWA Field Supply and Transport Officer, Jordan, PO Box 484, Amman, Jordan
5. **Place or country of destination** :
 - Lots A and B : Israel
 - Lot C : Lebanon
 - Lot D : Jordan
6. **Product to be mobilized** : corned beef
7. **Characteristics and quality of the goods** : ⁽⁴⁾ ⁽⁵⁾

Corned beef made exclusively of beef without any thickening additives other than natural collagen from the tendons :

 - Moisture content : maximum 60 %
 - Protein : minimum 21 %, the amount of collagen as a percentage of the total protein contents should not exceed 30 %
 - Fats : maximum 15,5 %
 - Salt : maximum 2 %, 50 ppm maximum total nitrate expressed as sodium nitrate
 - Sugar : maximum 1 %
 - Ash : maximum 3,5 %

The product should not contain bones, ligaments, gristle, hair or extraneous matter, should not be finely minced and should be free from objectionable odours and flavours
8. **Total quantity** : 1 219 tonnes
9. **Number of lots** : 4 (part A : 496,128 tonnes ; part B : 201,552 tonnes ; part C : 254,524 tonnes ; part D : 266,336 tonnes)
10. **Packaging and marking** :

The corned beef must be in tins of 340 g net each. The tins must be hermetically sealed with no trace of corrosion on the seams or internal parts

Special markings/labelling on/of tins : the lithographed label must show :

 - (a) a list of ingredients
 - (b) the net contents of the tin in grams
 - (c) the name and address of the manufacturer
 - (d) the country of origin
 - (e) the words 'NOT FOR SALE / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY' in 5 mm block letters on two sides
 - (f) the production and expiry dates

The production and expiry dates are to be embossed on the lids of the tins. The expiry date to be indicated is the date of production plus four years, hence four years after the date of production

The tins are to be packed in export fibre (maritime) cartons suitable for shipment (sea transport). Each carton is to contain 48 tins, properly sealed upon packing ; the sealed cartons must be secured with strong fibre or other suitable securing tape. The cartons must be stowed in 20-foot containers (FLC/LCL shipper's count-load and stowage) ⁽⁶⁾

Marking on cartons (in letters at least 5 cm high):

- Lot A: 'ACTION No 351/90 / CORNED BEEF / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY TO UNRWA — TO PALESTINE REFUGEES / ASHDOD / DATE OF PRODUCTION / DATE OF EXPIRY.'
- Lot B: 'ACTION No 352/90 / CORNED BEEF / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY TO UNRWA — TO PALESTINE REFUGEES / ASHDOD / DATE OF PRODUCTION / DATE OF EXPIRY.'
- Lot C: 'ACTION No 353/90 / CORNED BEEF / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY TO UNRWA — TO PALESTINE REFUGEES / LATAKIA FOR LEBANON / DATE OF PRODUCTION / DATE OF EXPIRY.'
- Lot D: 'ACTION No 355/90 / CORNED BEEF / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY TO UNRWA — TO PALESTINE REFUGEES / LATAKIA FOR JORDAN / DATE OF PRODUCTION / DATE OF EXPIRY.'

11. **Method of mobilization:** the Community market
12. **Stage of supply:** free at port of landing — landed
13. **Port of shipment:** —
14. **Port of landing specified by the recipient:** —
15. **Port of landing:**
 - Lots A and B: Ashdod (*)
 - Lots C and D: Latakia ⁽¹⁰⁾
16. **Address of the warehouse and, if appropriate, port of landing:** —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage:** 15. 2. 1991 — 15. 3. 1991
18. **Deadline for the supply:** 15. 4. 1991
19. **Procedure for determining the costs of supply:** invitation to tender
20. **Deadline for the submission of tenders:** 12 noon on 18. 12. 1990
21. **In the case of a second invitation to tender:**
 - (a) deadline for the submission of tenders: 12 noon on 8. 1. 1991
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 1 — 31. 3. 1991
 - (c) deadline for the supply: 30. 4. 1991
22. **Amount of tendering security:** ECU 15 per tonne
23. **Amount of delivery security:** 10 % of the amount of the tender in ecus
24. **Address for submission of tenders (*):** Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, Bâtiment Loi 120, bureau 7/58, 200 rue de la Loi, B-1049 Bruxelles; telex AGREC 22037 B / 25670 B
25. **Refund payable on application by the successful tenderer (†):** refunds only for products covered by product code 1602 50 90 120 or 1602 50 90 320, referred to in Commission Regulation (EEC) No 3445/89 (OJ No L 336, 20. 11. 1989, p. 1). The refunds are those which are applicable at the expiry date of the time limit for the submission of tenders

Notes:

- (1) The operation number is to be quoted in all correspondence.
- (2) Commission delegate to be contacted by the successful tenderer: see list published in OJ No C 227, 7. 9. 1985, p. 4.
- (3) The successful tenderer shall deliver to the recipient a certificate from an official entity certifying that, for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
- The radioactivity certificate must indicate the caesium-134 and -137 levels.
- (4) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of the Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably:
- by porter at the office referred to in point 24 of the Annex, or
 - by telecopier on one of the following numbers in Brussels:
 - 235 01 32,
 - 236 10 97,
 - 235 01 30,
 - 236 20 05.
- (5) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), is applicable as regards the export refund and, where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of the Annex.
- (6) The contracted shipping terms shall be considered full liner terms (liner in/liner out) free Ashdod/Latakia/Aqaba, container yard and is understood to cover 15 days — Saturdays, Sundays and official public and religious holidays excluded — free of container detention charges at the port of discharge taken from the day/time of the arrival of the vessel. The 15 days free of container detention charges should be clearly marked on the bill of lading. Bona fide detention charges levied in respect of container detention (s) in excess of the said 15 days as detailed above will be borne by UNRWA. UNRWA shall not pay/not be charged any container deposit fees.
- (7) The supplier is to inform the Manager, Supply Division, UNRWA, Vienna, by telex number 135310 UNRWA A, of the name of the carrying vessel and the names and addresses of the shipping agent and insurance agent at the port of landing.
- (8) The successful tenderer is to contact the recipient as soon as possible to establish what consignment documents are required and how they are to be distributed.
- (9) Ashdod: consignment to be stowed in 20-foot containers containing not more than 17 tonnes each, net, not more than 50 containers being shipped on any vessel.
- (10) The health certificate and the certificate of origin must be signed and stamped by a Syrian consulate, including a statement that consular fees and charges have been paid.
-

COMMISSION REGULATION (EEC) No 3366/90
of 23 November 1990
on the supply of various lots of olive oil as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management ⁽¹⁾, as last amended by Regulation (EEC) No 1930/90 ⁽²⁾, and in particular Article 6 (1) (c) thereof,

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86 on food-aid policy and food-aid management ⁽³⁾ lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain countries and beneficiary organizations 39 tonnes of olive oil;

Whereas it is necessary to provide for the carrying-out of this measure in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community

food aid ⁽⁴⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

Olive oil shall be mobilized in the Community as Community food aid for supply to the recipients listed in the Annex in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annex. Supplies shall be awarded by the tendering procedure.

The successful tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

Article 2

This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 23 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 174, 7. 7. 1990, p. 6.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

ANNEX

LOTS A and B

1. **Operation Nos** ⁽¹⁾: 550-551/90
2. **Programme**: 1990
3. **Recipient**: UNRWA Headquarters, Vienna International Centre, PO Box 700, A-1400 Vienna
4. **Representative of the recipient** ⁽²⁾: UNRWA Field Supply and Transport Officer West Bank, PO Box 19149 Jerusalem, Israel
5. **Place or country of destination**: Israel
6. **Product to be mobilized**: olive
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁴⁾: see list published in OJ No C 216, 14. 8. 1987, p. 3 (under IIIA.4)
8. **Total quantity**: 18,7 tonnes net
9. **Number of lots**: 2 (lot A: 6,7 tonnes; lot B: 12 tonnes)
10. **Packaging and marking**: see list published in OJ No C 216, 14. 8. 1987, p. 3 (under III.B):
 - 200-kg drums ⁽⁷⁾
 - the drums must carry the following wording:
 - Lot A: 'ACTION No 550/90 / OLIVE OIL / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY TO UNRWA FOR FREE DISTRIBUTION TO PALESTINE REFUGEES / ASHDOD / DATE OF PRODUCTION ...'
 - Lot B: 'ACTION No 551/90 / OLIVE OIL / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY TO UNRWA FOR FREE DISTRIBUTION TO PALESTINE REFUGEES / ASHDOD / DATE OF PRODUCTION ...'
11. **Method of mobilization**: Community market
12. **Stage of supply**: free at port of landing-landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Ashdod
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 1 — 20. 1. 1990
18. **Deadline for the supply**: 15. 2. 1991
19. **Procedure for determining the costs of supply** ⁽⁵⁾: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon on 11. 12. 1990
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon on 18. 12. 1990
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 10 — 31. 1. 1991
 - (c) deadline for the supply: 28. 2. 1991
22. **Amount of the tendering security**: ECU 15 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders** ⁽⁶⁾: Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, bâtiment Loi 120, bureau 7/58, 200 rue de la Loi, B-1049 Bruxelles; telex AGREC 22037 B / 25670 B
25. **Refund payable on request by the successful tenderer** ⁽⁸⁾:
Refund applicable on 12. 11. 1990 fixed by Commission Regulation (EEC) No 3168/90 (OJ No L 304, 1. 11. 1990 p. 31)

LOT C

1. **Operation No** (1): 552/90
2. **Programme**: 1990
3. **Recipient**: UNRWA Headquarters, Vienna International Centre, PO Box 700, A-1400 Vienna
4. **Representative of the recipient** (2): UNRWA Field Supply and Transport Officer SAR, PO Box 4313 Damascus, Syria
5. **Place or country of destination**: Lebanon
6. **Product to be mobilized**: olive oil
7. **Characteristics and quality of the goods** (3) (6): see list published in OJ No C 216, 14. 8. 1987, p. 3 (under III.A.4)
8. **Total quantity**: 6,8 tonnes net
9. **Number of lots**: one
10. **Packaging and marking** (2) (10): see list published in OJ No C 216, 14. 8. 1987, p. 3 (under III.B):
 - 200-kg drums (7)
 - the drums must carry the following wording:
'ACTION No 552/90 / OLIVE OIL / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY TO UNRWA FOR FREE DISTRIBUTION TO PALESTINE REFUGEES / LATTAKIA FOR LEBANON / DATE OF PRODUCTION...'
11. **Method of mobilization**: Community market
12. **Stage of supply**: free at port of landing-landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Lattakia
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 1. — 20. 1. 1991
18. **Deadline for the supply**: 15. 2. 1991
19. **Procedure for determining the costs of supply** (4): tendering
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon on 11. 12. 1990
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon on 18. 12. 1990
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 10 — 31. 1. 1991
 - (c) deadline for the supply: 28. 2. 1991
22. **Amount of the tendering security**: ECU 15 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders** (5): Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, bâtiment Loi 120, bureau 7/58, 200 rue de la Loi, B-1049 Bruxelles; telex AGREC 22037 B / 25670 B
25. **Refund payable on request by the successful tenderer** (8):
Refund applicable on 12. 11. 1990 fixed by Commission Regulation (EEC) No 3168/90 (OJ No L 304, 1. 11. 1990 p. 31)

LOT D

1. **Operation No** (?): 553/90
2. **Programme**: 1990
3. **Recipient**: UNRWA Headquarters, Vienna International Centre, PO Box 700, A-1400 Vienna
4. **Representative of the recipient** (?): UNRWA Field Supply and Transport Officer SAR, PO Box 4313 Damascus, Syria
5. **Place or country of destination**: Syria
6. **Product to be mobilized**: olive oil
7. **Characteristics and quality of the goods** (?)(⁶): see list published in OJ No C 216, 14. 8. 1987, p. 3 (under III.A.4)
8. **Total quantity**: 4,4 tonnes net
9. **Number of lots**: one
10. **Packaging and marking** (?): see list published in OJ No C 216, 14. 8. 1987, p. 3 (under III.B):
 - 200-kg drums (?)
 - the drums must carry the following wording:
'ACTION No 553/90 / OLIVE OIL / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY TO UNRWA FOR FREE DISTRIBUTION TO PALESTINE REFUGEES / LATTAKIA / DATE OF PRODUCTION ...'
11. **Method of mobilization**: Community market
12. **Stage of supply**: free at port of landing-landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Lattakia
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 1 — 20. 1. 1991
18. **Deadline for the supply**: 15. 2. 1991
19. **Procedure for determining the costs of supply** (?): tendering
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon on 11. 12. 1990
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon on 18. 12. 1990
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 10 — 31. 1. 1991
 - (c) deadline for the supply: 28. 2. 1991
22. **Amount of the tendering security**: ECU 15 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders** (?): Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, bâtiment Loi 120, bureau 7/58, 200 rue de la Loi, B-1049 Bruxelles; telex AGREC 22037 B / 25670 B
25. **Refund payable on request by the successful tenderer** (?):
Refund applicable on 12. 11. 1990 fixed by Commission Regulation (EEC) No 3168/90 (OJ No L 304, 1. 11. 1990, p. 31)

LOT E

1. **Operation No** ⁽¹⁾: 554/90
2. **Programme**: 1990
3. **Recipient**: UNRWA Headquarters, Vienna International Centre, PO Box 700, A-1400 Vienna
4. **Representative of the recipient** ⁽²⁾: UNRWA Field Supply and Transport Officer Jordan, PO Box 484 Amman, Jordan
5. **Place or country of destination**: Jordan
6. **Product to be mobilized**: olive oil
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁴⁾: see list published in OJ No C 216, 14. 8. 1987, p. 3 (under IIIA.4)
8. **Total quantity**: 9,1 tonnes net
9. **Number of lots**: one
10. **Packaging and marking**: see list published in OJ No C 216, 14. 8. 1987, p. 3 (under III.B):
 - 200-kg drums ⁽⁷⁾
 - the drums must carry the following wording:
'ACTION No 554/90 / OLIVE OIL / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY TO UNRWA FOR FREE DISTRIBUTION TO PALESTINE REFUGEES / AQABA / DATE OF PRODUCTION ... / DATE OF EXPIRY ... (PRODUCTION DATE PLUS 2 YEARS)'
11. **Method of mobilization**: Community market
12. **Stage of supply**: free at port of landing-landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing** ⁽¹¹⁾: Lattakia
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 1 — 20. 1. 1991
18. **Deadline for the supply**: 15. 2. 1991
19. **Procedure for determining the costs of supply** ⁽⁴⁾: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon on 11. 12. 1990
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon on 18. 12. 1990
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 10 — 31. 1. 1991
 - (c) deadline for the supply: 28. 2. 1991
22. **Amount of the tendering security**: ECU 15 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders** ⁽⁵⁾: Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, bâtiment Loi 120, bureau 7/58, 200 rue de la Loi, B-1049 Bruxelles; telex AGREC 22037 B / 25670 B
25. **Refund payable on request by the successful tenderer** ⁽⁶⁾:
Refund applicable on 12. 11. 1990 fixed by Commission Regulation (EEC) No 3168/90 (OJ No L 304, 1. 11. 1990, p. 31)

Notes:

- (1) The operation number is to be quoted in all correspondence.
- (2) Commission delegate to be contacted by the successful tenderer: see list published in OJ No C 227, 7. 9. 1985, p. 4.
- (3) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the products to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
- The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents:
- phytosanitary certificate,
 - certificate of origin.
- (4) Point (g) of Article 7 (3) of Regulation (EEC) No 2200/87 shall not be applicable to tenders submitted.
- (5) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of the Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably:
- either by porter at the office referred to in point 24 of the Annex,
 - or by telecopier on one of the following numbers in Brussels:
 - 235 01 32,
 - 236 10 97,
 - 235 01 30,
 - 236 20 05.
- (6) The successful tenderer is to contact the recipient as soon as possible to establish which consignment documents are required and how they are to be distributed.
- (7) In new bunged metal drums, coated inside with food-can varnish or having been subject to a procedure giving equivalent guarantees, of 190 to 200 kilograms (to be indicated in the tender) net weight, fully filled and hermetically sealed in an atmosphere of nitrogen. The drums should be strong enough to withstand a long sea journey. Their composition must not be such as to be harmful to human health or to cause a change in the colour, taste or odour of their contents. Each drum must be fully leakproof.
- (8) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), is applicable as regards the export refund and, where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.
- (9) The phytosanitary and origin certificates must be signed and stamped by the Syrian Consulate. This should include a mention that all consular charges have been paid.
- (10) The bill of lading must be marked 'Lattakia for Lebanon — goods in transit'.
- (11) Where the merchandise is sent to Syria, the provisions set out in points 9 and 10 above apply (Lattakia for Jordan — goods in transit).
-

COMMISSION REGULATION (EEC) No 3367/90

of 23 November 1990

on the sale by the procedure laid down in Regulation (EEC) No 2539/84 of bone-in beef held by certain intervention agencies and intended for export, amending Regulations (EEC) 569/88 and No 2722/90 and repealing Regulation (EEC) No 3182/90

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 571/89 ⁽²⁾, and in particular Article 7 (3) thereof,

Whereas Commission Regulation (EEC) No 2539/84 of 5 September 1984 laying down detailed rules for certain sales of frozen beef held by the intervention agencies ⁽³⁾, as amended by Regulation (EEC) No 1809/87 ⁽⁴⁾, has provided for the possibility of applying a two-stage procedure when selling beef from intervention stocks;

Whereas certain intervention agencies hold stocks of bone-in intervention meat; whereas an extension of the period of storage for the meat bought in should be avoided on account of the ensuing high costs; whereas outlets exist in certain third countries for the products in question; whereas it is appropriate therefore to offer this meat for sale in accordance with Regulation (EEC) No 2539/84;

Whereas quarters from intervention stocks may in certain cases have been handled a number of times; whereas, in order to help with the presentation and marketing of such meat, its repackaging should be authorized, subject to the observance of precise conditions;

Whereas it is necessary to lay down a time limit for export of the said meat; whereas this time limit should be fixed by taking into account Article (5) (b) of Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector ⁽⁵⁾, as last amended by Regulation (EEC) No 2996/90 ⁽⁶⁾;

Whereas in order to ensure that beef sold is exported the lodging of security, as specified at (a) of Article 5 (2) of Regulation (EEC) No 2539/84, should be required;

Whereas products held by intervention agencies and intended for export are subject to the provisions of

Commission Regulation (EEC) No 569/88 ⁽⁷⁾, as last amended by Regulation (EEC) No 3324/90 ⁽⁸⁾; whereas, however, the Annex to the said Regulation setting out the entries to be made should be expanded;

Whereas, in order to ensure better administration of intervention stocks, Commission Regulation (EEC) No 2722/90 of 21 September 1990 on the sale by the procedure laid down in Regulation (EEC) No 2539/84 of beef held by certain intervention agencies and intended for export and amending Regulation (EEC) No 569/88 ⁽⁹⁾ should be amended;

Whereas Commission Regulation (EEC) No 3182/90 ⁽¹⁰⁾ should be repealed;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

1. A sale shall be organized of approximately:

- 10 000 tonnes of bone-in beef held by the German intervention agency and bought in before 1 October 1990,
- 5 000 tonnes of bone-in beef held by the French intervention agency and bought in before 1 October 1990.

This meat shall be for export to third countries, with the exception of the destinations under 02 referred to in footnote No 7 to the Annex to Commission Regulation (EEC) No 3133/90 ⁽¹¹⁾.

Subject to the provisions of this Regulation, the sale shall take place in accordance with the provisions of Regulation (EEC) No 2539/84.

The provisions of Commission Regulation (EEC) No 985/81 ⁽¹²⁾ shall not apply to this sale. However, the competent authorities may allow bone-in forequarters and

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 4. 3. 1989, p. 43.

⁽³⁾ OJ No L 238, 6. 9. 1984, p. 13.

⁽⁴⁾ OJ No L 170, 30. 6. 1987, p. 23.

⁽⁵⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁶⁾ OJ No L 286, 18. 10. 1990, p. 17.

⁽⁷⁾ OJ No L 55, 1. 3. 1988, p. 1.

⁽⁸⁾ OJ No L 320, 20. 11. 1990, p. 12.

⁽⁹⁾ OJ No L 261, 25. 9. 1990, p. 19.

⁽¹⁰⁾ OJ No L 304, 1. 11. 1990, p. 19.

⁽¹¹⁾ OJ No L 299, 30. 10. 1990, p. 32.

⁽¹²⁾ OJ No L 99, 10. 4. 1981, p. 38.

hindquarters, the packaging material of which is torn or soiled, to be placed in new packaging of the same type under their supervision before presentation for consignment at the customs office of departure.

2. The qualities and the minimum prices referred to in Article 3 (1) of Regulation (EEC) No 2539/84 are given in Annex I hereto.

3. Only those tenders shall be taken into consideration which reach the intervention agencies concerned not later than 12 noon on 27 November 1990.

4. Particulars of the qualities and the places where the products are stored may be obtained by interested parties at the addresses given in Annex II.

Article 2

The products referred to in Article 1 must be exported within five months from the date of conclusion of the contract of sale.

Article 3

1. The security provided for in Article 5 (1) of Regulation (EEC) No 2539/84 shall be ECU 30 per 100 kilograms.

2. The security provided for in Article 5 (2) (a) of Regulation (EEC) No 2539/84 shall be ECU 160 per 100 kilograms.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 23 November 1990.

Article 4

In part I of the Annex to Regulation (EEC) No 569/88, 'Products to be exported in the same state as that in which they were when removed from intervention stock', the following item and footnote are added:

'73. Commission Regulation (EEC) No 3367/90 of 23 November 1990 on the sale by procedure laid down in Regulation (EEC) No 2539/84 of bone-in beef held by certain intervention agencies and intended for export ⁽⁷³⁾.

⁽⁷³⁾ OJ No L 326, 24. 11. 1990, p. 27.'

Article 5

Regulation (EEC) No 2722/90 is hereby amended as follows:

1. The date '1 August 1990' in the first and second indents of Article 1 (1) is replaced by '1 October 1990'.
2. The date '1 September 1990' in the third and fourth indents of Article 1 (1) is replaced by '1 October 1990'.

Article 6

Regulation (EEC) No 3182/90 is hereby repealed.

Article 7

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANEXO I — BILAG I — ANHANG I — ΠΑΡΑΡΤΗΜΑ I — ANNEX I — ANNEXE I — ALLEGATO I — BIJLAGE I — ANEXO I

Estado miembro Medlemsstat Mitgliedstaat Κράτος μέλος Member State État membre Stato membro Lid-Staat Estado-membro	Productos Produkter Erzeugnisse Προϊόντα Products Produits Prodotti Produkten Produtos	Cantidades (toneladas) Mængde (tons) Mengen (Tonnen) Ποσότητες (τόνοι) Quantities (tonnes) Quantités (tonnes) Quantità (tonnellate) Hoeveelheid (ton) Quantidade (toneladas)	Precio mínimo expresado en ecus por tonelada Mindstepriser i ECU/ton Mindestpreise, ausgedrückt in ECU/Tonne Ελάχιστες τιμές πώλησεως εκφραζόμενες σε Ecu ανά τόνο Minimum prices expressed in ecus per tonne Prix minimaux exprimés en écus par tonne Prezzi minimi espressi in ecu per tonnellata Minimumprijzen uitgedrukt in ecu per ton Preço mínimo expresso em ecus por tonelada
Deutschland	— Vorderviertel, stammend von : Kategorien A/C	5 000	1 300
	— Hinterviertel, stammend von : Kategorien A/C	5 000	2 000
France	— Quartiers avant : catégorie A/C	2 500	1 300
	— Quartiers arrière : catégorie A/C	2 500	2 000

ANEXO II — BILAG II — ANHANG II — ΠΑΡΑΡΤΗΜΑ II — ANNEX II — ANNEXE II — ALLEGATO II — BIJLAGE II — ANEXO II

Direcciones de los organismos de intervención — Interventionsorganernes adresser —
Anschriften der Interventionsstellen — Διευθύνσεις των οργανισμών παρεμβάσεως — Addresses
of the intervention agencies — Adresses des organismes d'intervention — Indirizzi degli
organismi d'intervento — Adressen van de interventiebureaus — Endereços dos organismos de
intervenção

DEUTSCHLAND : Bundesanstalt für landwirtschaftliche Marktordnung (BALM)
Geschäftsbereich 3 (Fleisch und Fleischerzeugnisse)
Postfach 180 107 — Adickesallee 40
D-6000 Frankfurt am Main 18
Tel. (069) 1 56 40, App. 772/773
Telex : 04 11 56

FRANCE : Ofival
Tour Montparnasse,
33, avenue du Maine,
75755 Paris Cedex 15,
tél. : 45 38 84 00, télex : 26 06 43.

COMMISSION REGULATION (EEC) No 3368/90
of 23 November 1990
fixing the export refunds on fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1193/90⁽²⁾, and in particular Article 30 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 30 of Regulation (EEC) No 1035/72 provides that, to the extent necessary to allow economically significant quantities to be exported, the difference between prices in international trade for the products referred to in that Article and prices for the products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 2518/69 of 9 December 1969 laying down general rules for the granting of refunds on exports of fruit and vegetables and criteria for fixing their amounts⁽³⁾, as amended by Regulation (EEC) No 2455/72⁽⁴⁾, provides that when refunds are being fixed, account must be taken of the existing situation and future trends with regard to prices and availabilities of fruit and vegetables on the Community market on the one hand and prices in international trade on the other; whereas account must also be taken of the costs indicated in (b) of that Article and of the economic aspects of the proposed exports;

Whereas, pursuant to Article 3 of Regulation (EEC) No 2518/69, when prices on the Community market are being determined account must be taken of the prices which are most favourable from the exportation point of view; whereas, when prices in international trade are being determined, the quotations and prices referred to in paragraph 2 of that Article must be taken into account;

Whereas the situation with regard to international trade or the specific requirements of certain markets may make it necessary to vary the refund for a given product according to the destination of that product;

Whereas tomatoes, fresh lemons, fresh sweet oranges and apples of the common quality standards 'Extra' Class,

Class I and Class II, 'Extra' Class and Class I table grapes, almonds and hazelnuts, and unshelled walnuts may at present be exported in economically significant quantities;

Whereas, under the second subparagraph of Article 12 (1) of Regulation (EEC) No 1035/72, derogations from Community quality standards may be granted in the light of the requirements of the intended markets; whereas, in view of the requirement of the Singaporean and Malaysian markets for small table apples, derogations from the minimum sizes laid down by Commission Regulation (EEC) No 920/89⁽⁵⁾, as last amended by Regulation (EEC) No 1763/90⁽⁶⁾ should be granted for Granny Smith apples exported to these markets;

Whereas, if the refund system is to operate normally, refunds should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the correcting factor provided for in the last indent of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁷⁾, as last amended by Regulation (EEC) No 2205/90⁽⁸⁾,
- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the factor referred to in the preceding indent;

Whereas it follows from applying these detailed rules to the present market situation and to its future trends, and in particular to quotations and prices for fruit and vegetables in the Community and in international trade that the refunds should be as set out in the Annex hereto;

Whereas the obligations under Article 5 (1) (b) of Commission Regulation (EEC) No 3665/87 of 27 November 1987 laying down common detailed rules for the application of the system of export refunds on agricultural products⁽⁹⁾, as last amended by Regulation (EEC) No 1615/90⁽¹⁰⁾, may be relaxed in the case of exports to non-member countries outside Europe; whereas, in such a case, Article 19 (1) (c) of Regulation (EEC) No 3665/87 may be applied;

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 119, 11. 5. 1990, p. 43.

⁽³⁾ OJ No L 318, 18. 12. 1969, p. 17.

⁽⁴⁾ OJ No L 266, 14. 11. 1972, p. 7.

⁽⁵⁾ OJ No L 97, 11. 4. 1989, p. 19.

⁽⁶⁾ OJ No L 162, 28. 6. 1990, p. 29.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁹⁾ OJ No L 351, 14. 12. 1987, p. 1.

⁽¹⁰⁾ OJ No L 152, 16. 6. 1990, p. 33.

Whereas, for Spain and Portugal, the Act of Accession introduced transitional measures by phases and stages respectively;

Whereas for Spain the second stage of the transitional period began on 1 January 1990; whereas pursuant to Article 87 of the Act of Accession when the refunds are set for Spanish products account is to be taken for each product of the price difference that is economically justified;

Whereas Article 275 provides for a special procedure for the grant of refunds on exports to Portugal from the Community as constituted at 31 December 1985; whereas, pursuant to Article 283, the Portuguese Republic is to be authorized to maintain, during the first stage, for exports to third countries, the arrangements in force before its accession for such trade, including any export aid or subsidies; whereas, under those circumstances, refunds for such exports should not be provided for in this Regulation;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

1. The export refunds on fruit and vegetables shall be as set out in column I of the Annex hereto. However, the refunds applicable on products harvested in Spain shall be those given in column II of the Annex.
2. The provisions of Articles 5 (1)(b) and 19 (1)(c) of Regulation (EEC) No 3665/87 shall apply to exports of fresh sweet oranges, lemons, walnuts in shell, shelled hazelnuts and apples as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 24 November 1990.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 23 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 23 November 1990 fixing the export refunds on fruit and vegetables

(ECU/100 kg net)

Product code	Destination of refund (I)	Amounts of refunds (2)	
		Community as constituted on 31 December 1985 (I)	Spain (II)
0702 00 10 100		4,50	—
0702 00 10 900	—	—	—
0702 00 90 100		4,50	—
0702 00 90 900	—	—	—
0802 12 90 000	07	9,67	9,67
0802 21 00 000	07	11,30	11,30
0802 22 00 000	07	21,80	21,80
0802 31 00 000	07	14,00	14,00
0805 10 11 100	01	11,00	7,00
	06	11,00	7,00
0805 10 11 300	01	11,00	7,00
	06	11,00	7,00
0805 10 11 900	—	—	—
0805 10 15 100	01	11,00	7,00
	06	11,00	7,00
0805 10 15 300	01	11,00	7,00
	06	11,00	7,00
0805 10 15 900	—	—	—
0805 10 19 100	01	11,00	7,00
	06	11,00	7,00
0805 10 19 300	01	11,00	7,00
	06	11,00	7,00
0805 10 19 900	—	—	—
0805 10 21 100	01	11,00	7,00
	06	11,00	7,00
0805 10 21 300	01	11,00	7,00
	06	11,00	7,00
0805 10 21 900	—	—	—
0805 10 25 100	01	11,00	7,00
	06	11,00	7,00
0805 10 25 300	01	11,00	7,00
	06	11,00	7,00
0805 10 25 900	—	—	—
0805 10 29 100	01	11,00	7,00
	06	11,00	7,00
0805 10 29 300	01	11,00	7,00
	06	11,00	7,00
0805 10 29 900	—	—	—
0805 10 31 100	01	11,00	7,00
	06	11,00	7,00
0805 10 31 300	01	11,00	7,00
	06	11,00	7,00
0805 10 31 900	—	—	—
0805 10 35 100	01	11,00	7,00
	06	11,00	7,00
0805 10 35 300	01	11,00	7,00
	06	11,00	7,00
0805 10 35 900	—	—	—

Product code	Destination of refund (*)	(ECU/100 kg net)	
		Amounts of refunds (2)	
		Community as constituted on 31 December 1985 (I)	Spain (II)
0805 10 39 100	01	11,00	7,00
	06	11,00	7,00
0805 10 39 300	01	11,00	7,00
	06	11,00	7,00
0805 10 39 900	—	—	—
0805 10 41 100	01	11,00	7,00
	06	11,00	7,00
0805 10 41 300	01	11,00	7,00
	06	11,00	7,00
0805 10 41 900	—	—	—
0805 10 45 100	01	11,00	7,00
	06	11,00	7,00
0805 10 45 300	01	11,00	7,00
	06	11,00	7,00
0805 10 45 900	—	—	—
0805 10 49 100	01	11,00	7,00
	06	11,00	7,00
0805 10 49 300	01	11,00	7,00
	06	11,00	7,00
0805 10 49 900	—	—	—
0805 20 50 100	—	—	—
0805 20 50 900	—	—	—
0805 30 10 100	07	13,50	3,70
0805 30 10 900	—	—	—
0806 10 11 100	07	10,50	10,50
0806 10 11 300	07	10,50	10,50
0806 10 11 900	—	—	—
0806 10 15 100	07	10,50	10,50
0806 10 15 300	07	10,50	10,50
0806 10 15 900	—	—	—
0806 10 19 100	07	10,50	10,50
0806 10 19 300	07	10,50	10,50
0806 10 19 900	—	—	—
0808 10 91 100	—	—	—
0808 10 91 910	02	14,00	5,50
	03	4,50	—
	04	14,00 (3)	5,50 (3)
0808 10 91 990	—	—	—
0808 10 93 100	—	—	—
0808 10 93 910	02	14,00	5,50
	03	4,50	—
	04	14,00 (3)	5,50 (3)
0808 10 93 990	—	—	—
0808 10 99 100	—	—	—
0808 10 99 910	02	14,00	5,50
	03	4,50	—
	04	14,00 (3)	5,50 (3)
0808 10 99 990	—	—	—
0809 30 00 110	05	—	—
0809 30 00 190	—	—	—
0809 30 00 900	05	—	—

(1) The destinations are as follows :

- 01 countries or States with a planned economy in central or eastern Europe and Yugoslavia,
 - 02 Botswana, Lesotho, Swaziland, Zambia, Malawi, Mozambique, Tanzania, Kenya, Rwanda, Burundi, Uganda, Somalia, Madagascar, Comoros, Mauritius, Sudan, Ethiopia, Republic of Djibouti, the countries of the Arabian peninsula including the territories attached thereto (Saudi Arabia, Bahrain, Qatar, Oman, United Arab Emirates (Abu Dhabi, Dubai, Sharjah, Ajman, Umm al Qaiwain, Fujairah and Ras al Khaimah), Yemen, Iran and Jordan,
 - 03 countries and territories of Africa other than those mentioned above and South Africa, Syria, countries with a planned economy in central or eastern Europe, Yugoslavia, Bolivia, Brazil, Venezuela, Peru, Panama, Ecuador, Colombia, Iceland, Norway, Sweden, Austria, the Faroe Islands, Finland, Greenland and Malta,
 - 04 Hong Kong, Singapore, Malaysia, Indonesia, Thailand and Taiwan,
 - 05 all destinations excluding Switzerland, Austria and that part of Community territory located outside the customs territory of the Community,
 - 06 Austria, Switzerland, Finland, Sweden, Greenland, Norway, Iceland and Malta,
 - 07 All destinations excepting that part of Community territory located outside the customs territory of the Community.
- (2) These refunds shall not apply to exports to Portugal from the Community as constituted at 31 December 1985 and Spain.
- (3) Notwithstanding Chapter 3 of Annex III to Regulation (EEC) No 920/89, for exports to Malaysia and Singapore of table apples of the Granny Smith variety, the minimum size for 'Extra' class, class I and class II shall be 65 mm, 60 mm and 60 mm respectively.
-

COMMISSION REGULATION (EEC) No 3369/90
of 23 November 1990
amending Regulation (EEC) No 1627/89 on the buying-in of beef by invitation to tender

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 571/89 ⁽²⁾, and in particular Article 6 (7) thereof,

Whereas Commission Regulation (EEC) No 1627/89 of 9 June 1989 on the buying-in of beef by invitation to tender ⁽³⁾, as last amended by Regulation (EEC) No 3265/90 ⁽⁴⁾, opens buying-in by invitation to tender in certain Member States or regions of a Member State for certain quality groups;

Whereas the application of Article 6 (2), (3) and the first indent of (5) of Regulation (EEC) No 805/68 and the need to limit intervention to the buying-in of the quantities necessary to ensure reasonable support for the market result, on the basis of the prices of which the Commission is aware, in an amendment, in accordance

with the Annex hereto, to the list of Member States or regions of a Member State where buying-in is open by invitation to tender, and the list of the quality groups which may be bought in;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and II to Regulation (EEC) No 1627/89 are hereby replaced by Annexes I and II hereto.

Article 2

This Regulation shall enter into force on 27 November 1990.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 23 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 4. 3. 1989, p. 43.

⁽³⁾ OJ No L 159, 10. 6. 1989, p. 36.

⁽⁴⁾ OJ No L 313, 13. 11. 1990, p. 22.

ANEXO I — BILAG I — ANHANG I — ΠΑΡΑΡΤΗΜΑ I — ANNEX I — ANNEXE I — ALLEGATO I — BIJLAGE I — ANEXO I

Estados miembros o regiones de Estados miembros y grupos de calidades previstos en el apartado 1 del artículo 1

Medlemsstater eller regioner og kvalitetsgrupper, jf. artikel 1, stk. 1

Mitgliedstaaten oder Gebiete eines Mitgliedstaats sowie die in Artikel 1 Absatz 1 genannten Qualitätsgruppen

Κράτη μέλη ή περιοχές κρατών μελών και ομάδες ποιότητας που αναφέρονται στο άρθρο 1 παράγραφος 1

Member States or regions of a Member State and quality groups referred to in Article 1 (1)

États membres ou régions d'États membres et groupes de qualités visés à l'article 1^{er}, paragraphe 1

Stati membri o regioni di Stati membri e gruppi di qualità di cui all'articolo 1, paragrafo 1

In artikel 1 lid 1 bedoelde Lid-Staten of gebieden van een Lid-Staat en kwaliteitsgroepen

Estados-membros ou regiões de Estados-membros e grupos de qualidades referidos no n.º 1 do artigo 1.º

Estados miembros o regiones de Estados miembros	Categoría A			Categoría C		
Medlemsstat eller region	Kategori A			Kategori C		
Mitgliedstaaten oder Gebiete eines Mitgliedstaats	Kategorie A			Kategorie C		
Κράτος μέλος ή περιοχές κράτους μέλους	Κατηγορία Α			Κατηγορία Γ		
Member States or regions of a Member State	Category A			Category C		
États membres ou régions d'États membres	Catégorie A			Catégorie C		
Stati membri o regioni di Stati membri	Categoria A			Categoria C		
Lid-Staat of gebied van een Lid-Staat	Categorie A			Categorie C		
Estados-membros ou regiões de Estados-membros	Categoria A			Categoria C		
	U	R	O	U	R	O
France					X	X
Italia		X	X			

*ANEXO II — BILAG II — ANHANG II — ΠΑΡΑΡΤΗΜΑ II — ANNEX II — ANNEXE II —
ALLEGATO II — BIJLAGE II — ANEXO II*

Estados miembros o regiones de Estados miembros y grupos de calidades previstos en el apartado 2 del artículo 1

Medlemsstater eller regioner og kvalitetsgrupper, jf. artikel 1, stk. 2

Mitgliedstaaten oder Gebiete eines Mitgliedstaats sowie die in Artikel 1 Absatz 2 genannten Qualitätsgruppen

Κράτη μέλη ή περιοχές κρατών μελών και ομάδες ποιότητας που αναφέρονται στο άρθρο 1 παράγραφος 2

Member States or regions of a Member State and quality groups referred to in Article 1 (2)

États membres ou régions d'États membres et groupes de qualités visés à l'article 1^{er}, paragraphe 2

Stati membri o regioni di Stati membri e gruppi di qualità di cui all'articolo 1, paragrafo 2

In artikel 1 lid 2 bedoelde Lid-Staten of gebieden van een Lid-Staat en kwaliteitsgroepen

Estados-membros ou regiões de Estados-membros e grupos de qualidades referidos no n.º 2 do artigo 1.º

Estados miembros o regiones de Estados miembros Medlemsstat eller region Mitgliedstaaten oder Gebiete eines Mitgliedstaats Κράτος μέλος ή περιοχές κράτους μέλους Member States or regions of a Member State États membres ou régions d'États membres Stati membri o regioni di Stati membri Lid-Staat of gebied van een Lid-Staat Estados-membros ou regiões de Estados-membros	Categoría A			Categoría C		
	U	R	O	U	R	O
Belgique/België	×	×	×			
Danmark		×	×		×	×
Deutschland	×	×			×	×
France	×	×	×			
Ireland				×	×	×
Luxembourg		×	×			
Nederland		×				
North Ireland				×	×	×
Great Britain				×	×	×

COMMISSION REGULATION (EEC) No 3370/90

of 23 November 1990

derogating from the time limit for payment of the special premium for beef producers to be granted for 1989 in Italy

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 571/89 ⁽²⁾, and in particular Article 4a (3) thereof,Having regard to Council Regulation (EEC) No 468/87 of 10 February 1987 laying down general rules applying to the special premium for beef producers ⁽³⁾, as amended by Regulation (EEC) No 572/89 ⁽⁴⁾, and in particular Article 5 thereof,Whereas Article 6 (1) of Commission Regulation (EEC) No 714/89 of 20 March 1989 laying down detailed rules applying to the special premium for beef producers ⁽⁵⁾ provides for a time limit of nine months for the payment of the premium to producers;

Whereas Italy, as a result of the introduction of a national law intended to prevent irregularities and fraud, is not

able to meet this time limit for payment for applications submitted in respect of 1989; whereas it should be allowed to extend this time limit until 28 February 1991;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

By way of derogation from Article 6 (1) of Regulation (EEC) No 714/89, Italy is hereby authorized, as regards applications submitted in respect of 1989, to pay the amounts of the special premium for beef producers referred to in Article 4 of Regulation (EEC) No 805/68 by 28 February 1991 at the latest.

*Article 2*This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 23 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.⁽²⁾ OJ No L 61, 4. 3. 1989, p. 43.⁽³⁾ OJ No L 48, 17. 2. 1987, p. 4.⁽⁴⁾ OJ No L 63, 7. 3. 1989, p. 1.⁽⁵⁾ OJ No L 78, 21. 3. 1989, p. 38.

COMMISSION REGULATION (EEC) No 3371/90
of 23 November 1990
amending Regulation (EEC) No 3846/87 establishing an agricultural product
nomenclature for export refunds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 3117/90 ⁽²⁾, and in particular Article 17 (4) thereof,

Whereas Council Regulation (EEC) No 3116/90 ⁽³⁾ amending Annex I to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽⁴⁾, as last amended by Regulation (EEC) No 3274/90 ⁽⁵⁾, provides for a subdivision for powdered unflavoured yoghourts;

Whereas Commission Regulation (EEC) No 3846/87 ⁽⁶⁾, as last amended by Regulation (EEC) No 3236/90 ⁽⁷⁾, establishes an agricultural product nomenclature for export refunds on the basis of the tariff nomenclature; whereas

this should be adjusted to take account of the abovementioned amendment;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

In the Annex to Regulation (EEC) No 3846/87, in sector 10, headings 'ex 0403 10' to '0403 10 39' are hereby replaced by headings 'ex 0403 10' to '0403 10 36' in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 January 1991.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 23 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 303, 31. 10. 1990, p. 5.

⁽³⁾ OJ No L 303, 31. 10. 1990, p. 1.

⁽⁴⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽⁵⁾ OJ No L 315, 15. 11. 1990, p. 2.

⁽⁶⁾ OJ No L 366, 24. 12. 1987, p. 1.

⁽⁷⁾ OJ No L 310, 9. 11. 1990, p. 16.

ANNEX

CN code	Description	Product code
ex 0403 10	- Yoghurt :	
	- - Not flavoured or containing added fruit nuts or cocoa :	
	- - - In powder, granules or other solid forms :	
	- - - - Not containing added sugar or other sweetening matter, with a fat content by weight (°) :	
0403 10 02	- - - - - Not exceeding 1,5 %	0403 10 02 000
0403 10 04	- - - - - Exceeding 1,5 % but not exceeding 27 % :	
	- - - - - - Not exceeding 11 %	0403 10 04 200
	- - - - - - Exceeding 11 % but not exceeding 17 %	0403 10 04 300
	- - - - - - Exceeding 17 % but not exceeding 25 %	0403 10 04 500
	- - - - - - Exceeding 25 %	0403 10 04 900
0403 10 06	- - - - - Exceeding 27 %	0403 10 06 000
	- - - - - Other, of a fat content by weight (°) :	
0403 10 12	- - - - - Not exceeding 1,5 %	0403 10 12 000
0403 10 14	- - - - - Exceeding 1,5 % but not exceeding 27 %	
	- - - - - - Not exceeding 11 %	0403 10 14 200
	- - - - - - Exceeding 11 % but not exceeding 17 %	0403 10 14 300
	- - - - - - Exceeding 17 % but not exceeding 25 %	0403 10 14 500
	- - - - - - Exceeding 25 %	0403 10 14 900
0403 10 16	- - - - - Exceeding 27 %	0403 10 16 000
	- - - - - Other :	
	- - - - - Not containing added sugar or other sweetening matter, of a fat content by weight (°) :	
0403 10 22	- - - - - Not exceeding 3 % :	
	- - - - - - Not exceeding 1,5 %	0403 10 22 100
	- - - - - - Exceeding 1,5 %	0403 10 22 300
0403 10 24	- - - - - Exceeding 3 % but not exceeding 6 %	0403 10 24 000
0403 10 26	- - - - - Exceeding 6 % :	0403 10 26 000
	- - - - - Other, of a fat content by weight (°) :	
0403 10 32	- - - - - Not exceeding 3 % :	
	- - - - - - Not exceeding 1,5 %	0403 10 32 100
	- - - - - - Exceeding 1,5 %	0403 10 32 300
0403 10 34	- - - - - Exceeding 3 % but not exceeding 6 %	0403 10 34 000
0403 10 36	- - - - - Exceeding 6 %	0403 10 36 000

COMMISSION REGULATION (EEC) No 3372/90
of 23 November 1990

amending Regulation (EEC) No 643/86 laying down detailed rules for the application of the supplementary trade mechanism to the live plants and floriculture products imported into Portugal concerning the target ceilings for ornamental plants for 1990

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Article 1

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 252 (3) thereof,

In the Annex to Regulation (EEC) No 643/86, under the target ceiling for ornamental plants falling with CN codes 0602 99 91 and 0602 99 99, '1 089,00 tonnes' is hereby replaced by '1 200,00 tonnes' and '524,00 tonnes' by '635,00 tonnes'.

Having regard to Council Regulation (EEC) No 569/86 of 25 February 1986 laying down general rules for the application of the supplementary mechanism applicable to trade⁽¹⁾, as last amended by Regulation (EEC) No 3296/88⁽²⁾, and in particular Article 7 thereof,

Article 2

Whereas Commission Regulation (EEC) No 643/86⁽³⁾, as last amended by Regulation (EEC) No 1113/90⁽⁴⁾, lays down detailed rules for the application of the supplementary trade mechanism to certain live plants and floricultural products imported into Portugal and in particular the Annex thereto fixes the target ceiling, as provided for in Article 251 (1) of the Act of Accession, applicable to imports or ornamental plants into Portugal from the other Member States of the Community for the year 1990;

1. For the period 1 to 31 December 1990 STM licences for ornamental plants as referred to in Article 1 shall be issued up to a maximum 111,00 tonnes.

2. Applications for STM licences shall be lodged on 26 and 27 November 1990.

Member States shall notify the Commission by 28 November 1990 at the latest of the quantities in licence applications.

Whereas the abovementioned target ceiling has been reached; whereas by Regulation (EEC) No 3249/90⁽⁵⁾, the Commission suspended, under the interim protective measures, the issue of STM licences until 30 November 1990; Whereas following a further examination of the market situation an increase in the target ceiling may however be contemplated for the current half-year and the volume of the target ceiling for the year be consequently adapted;

If the quantities in STM licence applications exceed the quantities set out in paragraph 1, the Commission shall fix a single percentage reduction in quantities applied for.

3. STM licences, applications for which have been notified to the Commission, shall be issued on the fifth working day following the deadline laid down for lodging applications.

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Live Plants,

Article 3

⁽¹⁾ OJ No L 55, 1. 3. 1986, p. 106.

⁽²⁾ OJ No L 293, 27. 10. 1988, p. 7.

⁽³⁾ OJ No L 60, 1. 3. 1986, p. 39.

⁽⁴⁾ OJ No L 111, 1. 5. 1990, p. 85.

⁽⁵⁾ OJ No L 311, 10. 11. 1990, p. 21.

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 23 November 1990.

For the Commission
Ray MAC SHARRY
Member of the Commission

COMMISSION REGULATION (EEC) No 3373/90
of 23 November 1990
fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 1069/89 ⁽²⁾, and in particular Article 16 (8) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 2547/90 ⁽³⁾, as last amended by Regulation (EEC) No 3356/90 ⁽⁴⁾;

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 23 November 1990.

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2547/90 to the information known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies referred to in Article 16 (1) of Regulation (EEC) No 1785/81 shall be, in respect of white sugar and standard quality raw sugar, as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 24 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 237, 1. 9. 1990, p. 102.

⁽⁴⁾ OJ No L 324, 23. 11. 1990, p. 27.

ANNEX

to the Commission Regulation of 23 November 1990 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	38,63 ⁽¹⁾
1701 11 90	38,63 ⁽¹⁾
1701 12 10	38,63 ⁽¹⁾
1701 12 90	38,63 ⁽¹⁾
1701 91 00	44,72
1701 99 10	44,72
1701 99 90	44,72 ⁽²⁾

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the levy applicable is calculated in accordance with the provisions of Article 2 of Commission Regulation (EEC) No 837/68 (OJ No L 151, 30. 6. 1968, p. 42).

⁽²⁾ In accordance with Article 16 (2) of Regulation (EEC) No 1785/81 this amount is also applicable to sugar obtained from white and raw sugar containing added substances other than flavouring or colouring matter.

COMMISSION REGULATION (EEC) No 3374/90

of 23 November 1990

altering the export refunds on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European
Economic Community,

Having regard to the Act of Accession of Spain and
Portugal,

Having regard to Council Regulation (EEC) No 2727/75
of 29 October 1975 on the common organization of the
market in cereals ⁽¹⁾, as last amended by Regulation (EEC)
No 1340/90 ⁽²⁾, and in particular the fifth subparagraph of
Article 16 (2) thereof,

Whereas the export refunds on cereals and on wheat or
rye flour, groats and meal were fixed by Commission
Regulation (EEC) No 3357/90 ⁽³⁾;

Whereas it follows from applying the detailed rules
contained in Commission Regulation (EEC) No 3357/90
to the information known to the Commission that the

export refunds at present in force should be altered to the
amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (a),
(b) and (c) of Regulation (EEC) No 2727/75, exported in
the natural state, as fixed in the Annex to Regulation
(EEC) No 3357/90 are hereby altered as shown in the
Annex to this Regulation in respect of the products set
out therein.

Article 2

This Regulation shall enter into force on 24 November
1990.

This Regulation shall be binding in its entirety and directly applicable in all Member
States.

Done at Brussels, 23 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 134, 28. 5. 1990, p. 1.

⁽³⁾ OJ No L 324, 23. 11. 1990, p. 29.

ANNEX

to the Commission Regulation of 23 November 1990 altering the export refunds on cereals
and on wheat or rye flour, groats and meal

(ECU/tonne)

Product code	Destination (1)	Amount of refund
0709 90 60 000	—	—
0712 90 19 000	—	—
1001 10 10 000	—	—
1001 10 90 000	01	0
1001 90 91 000	—	—
1001 90 99 000	04	100,00
	05	100,00
	02	20,00
1002 00 00 000	03	100,00
	05	100,00
	02	20,00
1003 00 10 000	—	—
1003 00 90 000	04	87,00
	02	20,00
1004 00 10 000	—	—
1004 00 90 000	—	—
1005 10 90 000	—	—
1005 90 00 000	03	70,00
	02	0
1007 00 90 000	—	—
1008 20 00 000	—	—
1101 00 00 110	01	157,00
1101 00 00 120	01	157,00
1101 00 00 130	01	138,00
1101 00 00 150	01	128,00
1101 00 00 170	01	118,00
1101 00 00 180	01	106,00
1101 00 00 190	—	—
1101 00 00 900	—	—
1102 10 00 100	01	157,00
1102 10 00 200	01	157,00
1102 10 00 300	01	157,00
1102 10 00 500	01	157,00
1102 10 00 900	—	—
1103 11 10 100	01	232,00
1103 11 10 200	01	219,00
1103 11 10 500	01	196,00
1103 11 10 900	01	185,00
1103 11 90 100	01	157,00
1103 11 90 900	—	—

(¹) The destinations are identified as follows:

- 01 All third countries,
- 02 Other third countries,
- 03 Switzerland, Austria and Liechtenstein,
- 04 Switzerland, Austria, Liechtenstein, Ceuta and Melilla,
- 05 Zone II (b).

NB: The zones are those defined in Commission Regulation (EEC) No 1124/77 (OJ No L 134, 28. 5. 1977, p. 53), as last amended by Regulation (EEC) No 3049/89 (OJ No L 292, 11. 10. 1989, p. 10).

COMMISSION REGULATION (EEC) No 3375/90

of 23 November 1990

fixing the import levies on live cattle and on beef and veal other than frozen

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EEC) No 571/89⁽²⁾, and in particular Article 12 (8) thereof,Whereas the import levies on live cattle and on beef and veal other than frozen were fixed by Commission Regulation (EEC) No 2460/90⁽³⁾, as last amended by Regulation (EEC) No 3096/90⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2460/90 to the quota-

tions and other information known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies on live cattle and on beef and veal other than frozen shall be as specified in the Annex hereto.

Article 2

This Regulation shall enter into force on 3 December 1990.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 23 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.⁽²⁾ OJ No L 61, 4. 3. 1989, p. 43.⁽³⁾ OJ No L 231, 25. 8. 1990, p. 15.⁽⁴⁾ OJ No L 296, 27. 10. 1990, p. 9.

ANNEX

to the Commission Regulation of 23 November 1990 fixing the import levies on live cattle and on beef and veal other than frozen

(ECU/100 kg)

CN code	Yugoslavia ⁽²⁾	Austria/Sweden/ Switzerland	Other third countries
— Live weight —			
0102 90 10	—	26,502	(¹) 124,192
0102 90 31	54,470	(¹) 26,502	(¹) 124,192
0102 90 33	—	26,502	(¹) 124,192
0102 90 35	54,470	26,502	(¹) 124,192
0102 90 37	54,470	26,502	(¹) 124,192
— Net weight —			
0201 10 10	—	50,353	(¹) 235,964
0201 10 90	103,493	50,353	(¹) 235,964
0201 20 21	—	50,353	(¹) 235,964
0201 20 29	103,493	50,353	(¹) 235,964
0201 20 31	—	40,282	(¹) 188,771
0201 20 39	82,795	40,282	(¹) 188,771
0201 20 51	124,192	60,423	(¹) 283,157
0201 20 59	124,192	60,423	(¹) 283,157
0201 20 90	—	75,530	(¹) 353,946
0201 30 00	—	86,395	(¹) 404,864
0206 10 95	—	86,395	(¹) 404,864
0210 20 10	—	75,530	353,946
0210 20 90	—	86,395	404,864
0210 90 41	—	86,395	404,864
0210 90 90	—	86,395	404,864
1602 50 10	—	86,395	404,864
1602 90 61	—	86,395	404,864

(¹) In accordance with Regulation (EEC) No 715/90, levies are not applied to products imported directly into the French overseas departments, originating in the African, Caribbean and Pacific States or in the overseas countries and territories.

(²) This levy is applicable only to products complying with the provisions of the Commission Regulation (EEC) No 1368/88 (OJ No L 126, 20. 5. 1988, p. 26).

COMMISSION REGULATION (EEC) No 3376/90
of 23 November 1990
fixing the import levies on frozen beef and veal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 571/89 ⁽²⁾, and in particular Article 12 (8) thereof,

Whereas the import levies on frozen beef and veal were fixed by Commission Regulation (EEC) No 2461/90 ⁽³⁾, as last amended by Regulation (EEC) No 3097/90 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2461/90 to the quota-

tions and other information known to the Commission that the levies should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on frozen beef and veal shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 3 December 1990.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 23 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 4. 3. 1989, p. 43.

⁽³⁾ OJ No L 231, 25. 8. 1990, p. 19.

⁽⁴⁾ OJ No L 296, 27. 10. 1990, p. 11.

ANNEX

to the Commission Regulation of 23 November 1990 fixing the import levies on frozen beef and veal (*)

(ECU/100 kg)

CN code	Levy
	— Net weight —
0202 10 00	(¹) 197,163
0202 20 10	(¹) 197,163
0202 20 30	(¹) 157,730
0202 20 50	(¹) 246,454
0202 20 90	(¹) 295,745
0202 30 10	(¹) 246,454
0202 30 50	(¹) 246,454
0202 30 90	(¹) 339,120
0206 29 91	(¹) 339,120

(¹) In accordance with Regulation (EEC) No 715/90, levies are not applied to products imported directly into the French overseas departments, originating in the African, Caribbean and Pacific States or in the overseas countries and territories.

COMMISSION REGULATION (EEC) No 3377/90
of 23 November 1990
fixing the specific levies on beef and veal from Portugal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal and in particular Article 272 thereof,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 571/89 ⁽²⁾, and in particular Articles 10 (1), 11 (1) and 12 (8) thereof,

Whereas in accordance with Article 272 (1) and (2) of the Act of Accession the arrangements applicable, during the first stage, by the Community as constituted at 31 December 1985 in respect of imports of products from Portugal must be those that it applied to Portugal before accession, account being taken of any price alignment that may have taken place during the first stage; whereas the levies in question should therefore be fixed;

Whereas the prices fixed by the Council are to be reduced Commission Regulation (EEC) No 1252/90 of 11 May 1990 establishing the prices and amounts fixed in ecus by the Council in the beef and veal sector and reduced as a result of the monetary realignment of 5 January 1990 ⁽³⁾;

Whereas Commission Regulation (EEC) No 588/86 ⁽⁴⁾, as last amended by Regulation (EEC) No 3086/90 ⁽⁵⁾, lays down detailed implementing rules and fixes the specific levies applicable to trade in beef and veal in the case of Portugal;

Whereas, in the light of the arrangements set out in Regulation (EEC) No 588/86, the specific levies applicable in respect of the beef and veal imports concerned should be as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The specific levies applicable in the case of imports from Portugal into the Community as constituted at 31 December 1985 shall be as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 3 December 1990.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 23 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 4. 3. 1989, p. 43.

⁽³⁾ OJ No L 121, 12. 5. 1990, p. 30.

⁽⁴⁾ OJ No L 57, 1. 3. 1986, p. 45.

⁽⁵⁾ OJ No L 295, 26. 10. 1990, p. 37.

ANNEX

to the Commission Regulation of 23 November 1990 fixing the specific levies on imports of beef and veal from Portugal

<i>(ECU/100 kg)</i>	
CN code	Amount of the special levies
0102 90 10	14,45
0102 90 31	14,45
0102 90 33	14,45
0102 90 35	14,45
0102 90 37	14,45
0201 10 10	27,27
0201 10 90	27,27
0201 20 21	27,27
0201 20 29	27,27
0201 20 31	21,82
0201 20 39	21,82
0201 20 51	32,72
0201 20 59	32,72
0201 20 90	40,91
0201 30 00	46,90
0202 10 00	24,54
0202 20 10	24,54
0202 20 30	19,63
0202 20 50	30,54
0202 20 90	36,81
0202 30 10	30,54
0202 30 50	30,54
0202 30 90	42,27
0206 10 95	46,90
0206 29 91	42,27
0210 20 10	40,91
0210 20 90	46,90
0210 90 41	46,90
0210 90 90	46,90
1602 50 10	46,90
1602 90 61	46,90

COMMISSION REGULATION (EEC) No 3378/90**of 23 November 1990****altering the export refunds on white sugar and raw sugar exported in the natural state**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 1069/89 ⁽²⁾, and in particular the second subparagraph of Article 19 (4) thereof,

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EEC) No 3337/90 ⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 3337/90 to the information known to the Commission that the export refunds

at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to Regulation (EEC) No 3337/90 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 24 November 1990.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 23 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 321, 21. 11. 1990, p. 15.

ANNEX

to the Commission Regulation of 23 November 1990 altering the export refunds on white sugar and raw sugar exported in the natural state

(ECU)

Product code	Amount of refund	
	per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
1701 11 90 100	34,81 ⁽¹⁾	
1701 11 90 910	34,79 ⁽¹⁾	
1701 11 90 950	⁽²⁾	
1701 12 90 100	34,81 ⁽¹⁾	
1701 12 90 910	34,79 ⁽¹⁾	
1701 12 90 950	⁽²⁾	
1701 91 00 000		0,3784
1701 99 10 100	37,84	
1701 99 10 910	37,82	
1701 99 10 950	37,82	
1701 99 90 100		0,3784

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 5 (3) of Regulation (EEC) No 766/68.

⁽²⁾ Fixing suspended by Commission Regulation (EEC) No 2689/85 (OJ No L 255, 26. 9. 1985, p. 12), as amended by Regulation (EEC) No 3251/85 (OJ No L 309, 21. 11. 1985, p. 14).

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 22 October 1990

concerning the conclusion, on behalf of the European Economic Community, of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances

(90/611/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the recommendation from the Commission,

Whereas, on 8 June 1989, at the United Nations Headquarters in New York the Community signed the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, adopted in Vienna on 19 December 1988, as did all its Member States;

Whereas the work of the United Nations, the Council, the European Council meeting of December 1989 and the Committee for the Fight Against Drugs (CELAD) has made it possible for the Convention to enter into force rapidly;

Whereas most of the Member States will have completed their internal ratification procedures in the next few months and by 30 June 1991 at the latest;

Whereas, in respect of matters within its competence, the Community should therefore approve the Convention at the latest by the same date as the first Member States,

HAS DECIDED AS FOLLOWS:

Article 1

The United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances is hereby approved on behalf of the European Economic Community.

Article 2

The President of the Council shall on behalf of the Community deposit the act of approval of the Convention with the United Nations Secretary-General.

The President of the Council shall at the same time deposit the declaration of competence contained in the Annex to this Decision, in accordance with Article 27 of the Convention.

Done at Luxembourg, 22 October 1990.

For the Council

The President

G. DE MICHELIS

*ANNEX***DECLARATION REFERRED TO IN THE SECOND SUBPARAGRAPH OF ARTICLE 2****Competence of the European Economic Community as regards the matters covered by the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (Declaration pursuant to Article 27 (2) of the Convention)**

Article 27 (2) of the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances stipulates that, in their instruments of formal confirmation, regional economic integration organizations shall declare the extent of their competence with respect to the matters covered by this Convention.

The European Economic Community was established by the Treaty of Rome which was signed on 25 March 1957 and entered into force on 1 January 1958. This Treaty was amended and supplemented by the Single European Act, which entered into force on 1 July 1987.

In accordance with the provisions referred to above, the European Economic Community is at present competent for questions of commercial policy relating to the substances frequently used in the illicit manufacture of narcotic drugs and psychotropic substances, questions which are dealt with in Article 12 of the Convention.

The exercise of the powers which the Member States have transferred to the Communities under the Treaties is, by its nature, subject to continuous development. The Communities therefore reserve the right to make further declarations in accordance with Article 27 (2) of the Convention.

COMMISSION

COMMISSION DIRECTIVE

of 26 October 1990

amending Council Directive 78/663/EEC laying down specific purity criteria for emulsifiers, stabilizers, thickeners and gelling agents for use in foodstuffs

(90/612/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DIRECTIVE:

Having regard to the Treaty establishing the European Economic Community,

Article 1

The Annex to Directive 78/663/EEC is hereby amended as set out in the Annex to this Directive.

Having regard to Council Directive 89/107/EEC of 21 December 1988 on the approximation of the laws of the Member States concerning food additives authorized for use in foodstuffs intended for human consumption⁽¹⁾, and in particular Article 3 (3) thereof,

Article 2

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive not later than 12 months after notification of the present Directive. They shall forthwith inform the Commission thereof.

Whereas it is necessary to take into consideration the revised *Codex Alimentarius* specifications for substances E407 and E466, authorize new techniques for the production of E473 and draw a distinction between substance E407 as described in the Annex to Council Directive 78/663/EEC⁽²⁾, as amended by Directive 82/504/EEC⁽³⁾, and similar products not covered by that Annex;

When Member States adopt these provisions, these shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publication. The procedure for such reference shall be adopted by Member States.

Whereas the Scientific Committee for Food has been consulted, in accordance with Article 6 of Directive 89/107/EEC, on those provisions likely to affect public health;

Article 3

This Directive is addressed to the Member States.

Whereas the measures laid down by this Directive comply with the opinion of the Standing Committee on Foodstuffs,

Done at Brussels, 26 October 1990.

For the Commission

Martin BANGEMANN

Vice-President

⁽¹⁾ OJ No L 40, 11. 2. 1989, p. 27.

⁽²⁾ OJ No L 223, 14. 8. 1978, p. 7.

⁽³⁾ OJ No L 230, 5. 8. 1982, p. 35.

ANNEX

1. Under E 407 — Carrageenan, the point concerning ash insoluble in 1 % v/v sulphuric acid shall be replaced by the following :

'acid-insoluble ash (insoluble in 10 % w/v hydrochloric acid)	not more than 1 % dry matter
acid-insoluble matter (insoluble in 1 % v/v sulphuric acid)	not more than 2 % dry matter.'

2. Under E 466 — Carboxymethylcellulose, the point concerning molecular weight shall be replaced by the following :

'higher than approximately 17 000 (degree of polymerization approximately 100)'.

3. Under E 473 — Sucrose esters :

- (a) the last sentence of the point concerning the chemical description shall be replaced by the following sentence :

'No organic solvent other than dimethylsulphoxide, dimethylformamide, ethyl acetate, isopropanol and isobutanol may be used for their preparation' ;

- (b) below the point concerning sulphated ash, the following point shall be added :

'dimethylsulphoxide content | not more than 2 mg/kg' ;

- (c) below the point concerning the methanol content, the following point shall be added :

'isobutanol content | not more than 10 mg/kg'.
